

**MUNICIPAL SANITATION UTILITY**

Mitchell L. Smith, Superintendent

**LETTER OF VIOLATION**

February 3, 2000

Richard Tyler, General Manager  
Milbank Manufacturing Inc.  
1400 E. Havens Street  
Kokomo, IN 46903-0754

Re: Failure of contract laboratory to analyze.

Dear Mr. Tyler,

The City has reviewed your monthly reports for November and December 1999. The Enforcement Response Guide for the Pretreatment Program indicates that the appropriate action for the City is to issue this Letter of Violation (LOV) (Item #6) for Milbank's failure to analyze Total Suspended Solids (TSS) for the months of November 1999, and December 1999.

However, I reviewed the letter dated January 20, 2000, from your contract laboratory, Test America, concerning their failure to analyze your samples. I believe the laboratory's failure mitigates Milbank's non-compliance (i.e. you collected the samples for your contract lab and they failed to analyze the parameter identified on the chain of custody).

Accordingly, after discussions with Roger Glendening regarding additional measures implemented by Milbank and Test America to prevent a recurrence in the future, the City will not pursue further action or assess a penalty for this isolated violation. We appreciate your continued cooperation.

If you have any questions or concerns about this correspondence please contact Rhonda Huffer at (765) 457-5509.

Sincerely,



Mitchell Smith, Superintendent

Copy: Richard Knight, Assistant to Mayor  
Ken Ferries, City Attorney  
Greg Taylor, Assistant Superintendent  
Rhonda Huffer, Pretreatment Inspector  
File

**WASTEWATER TREATMENT PLANT**

1501 West Markland Ave.

KOKOMO, IN 46901

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